

SMITH, GILDEA & SCHMIDT_{LLC}

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
MICHAEL G. DEHAVEN
JASON T. VETTORI
DAVID W. TERRY*

*Admitted in MD, MO, IL, AR

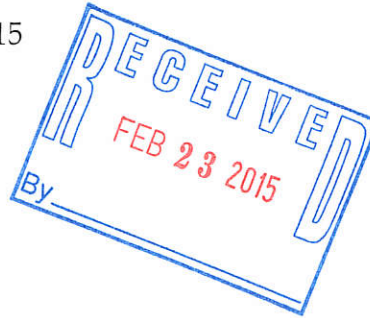
LAUREN DODRILL BENJAMIN
CHRISTOPHER W. COREY
MARIELA C. D'ALESSIO**
NATALIE MAYO
ELYANA TARLOW

of counsel:

JAMES T. SMITH, JR.
EUGENE A. ARBAUGH, JR.
DAVID T. LAMPTON

**Admitted in MD, FL, PA

February 23, 2015



Councilwoman Cathy Bevins
Baltimore County Council
400 Washington Avenue
Towson, MD 21204

Re: Weber Avenue, LLC
PUD - Water's Landing at Middle River
Intersection of Old Eastern Avenue and Hopkins Landing Drive
Map 90, Parcel 1272; Tax Account # 1900010156

Dear Councilwoman Bevins:

In compliance with Baltimore County Code ("BCC") § 32-4-242, Weber Avenue, LLC ("Applicant") submits this application for a general development Planned Unit Development ("PUD").

I. DESCRIPTION OF PUD PROPOSAL

The PUD is located in the Essex-Middle River area of the County. The site lies just south of the intersection of Old Eastern Avenue and Eastern Boulevard. The total tract acreage for the PUD is 58.7 ± acres. Additionally, the residential development known as Hopewell Pointe is located directly adjacent to the site on the southwest side of Hopkins Landing Drive. The site, until recently, contained numerous abandoned and dilapidated shore shacks which were removed in preparation for development.

The proposed community will consist of 222 homes. There will be fifty-two single-family detached dwellings, fifty-five 24' wide townhouses, and one hundred fifteen 20' wide townhouses. The community will consist of homes with unique features and diverse elevations.

The community has been designed to maintain a significant percentage of the land as a passive recreational area. Clustering the homes together not only affords families the opportunity to live in a unique community, but also maintains a significant portion of the

land in its natural state. The lot coverage will be approximately 27.6% (16.16 Acres/58.6 Acres).

There will be significant benefits conferred upon the community should this PUD be approved. Specifically, Applicant will create an area that amounts to approximately 9.5 acres +/- of the PUD which can be used as a passive recreational area. Applicant will design, fund and install a trail system in the passive recreational area with extensive hiking/biking trails. Lastly, as an additional public benefit, Applicant will donate \$30,000 to a capital improvement project or other public facility.

The community is nestled in the Essex - Middle River area, which has a stunningly beautiful natural environment. The passive recreational area will promote the beauty of the Chesapeake Bay. Clearly, the area's most important environmental asset is the Chesapeake Bay and the extraordinary views of the water and the shoreline it affords. Few small towns in America can boast this wealth of unspoiled waterfront scenery.

Waterfront residential communities such as this one endeavor to incorporate accessibility and a sense of community that centers around the Chesapeake Bay. Amenities for the waterfront residential community will include extensive sidewalks, a fishing pier and a passive recreational area with a trail system. These amenities will encourage further activity along the waterway. Landscaping along the shoreline and cosmetic improvements to the shoreline itself will enhance water views for the residents and those on the water as well.

In addition to the on-site amenities which are being proposed, Essex-Middle River is well connected to surrounding communities through roads, highway access, rail, water, and air. The community will be conveniently located near I-95 and 695, making commuting to work convenient.

Attached please find a schematic representation of the PUD, consisting of elevations and a rendered site plan showing a vicinity map with existing and proposed site data.

II. REQUIREMENTS FOR PUD APPLICATION

The instant general development PUD meets the zoning criteria required. It is located entirely within the Urban Rural Demarcation Line ("URDL") as provided in § 430.3.A of the Baltimore County Zoning Regulations ("BCZR"). The proposed mix of homes at the subject site is allowed under the PUD process.

BCC § 32-4-242(b)(3) requires the PUD application to include a table contrasting the PUD with development in accordance with the underlying zoning. The maximum gross residential density permitted by the underlying zoning is 234 dwelling units, which is

equivalent to 3.99 dwelling units per acre. The density proposed in the PUD is 222 dwelling units, which is equivalent to 3.79 dwelling units per acre. The floor area ratio ("FAR") required by the underlying zoning is 3.0 for that portion of the PUD which is zoned BL/BL-AS. However, since residential uses are being proposed, no FAR applies to the PUD. The number of parking spaces required in the underlying zones would be 444 for 222 dwelling units. The number of parking spaces provided in the PUD is 540 for 222 dwelling units.

The following is a chart contrasting the PUD with development in accordance with the underlying zone and showing compliance with zoning criteria:

| | |
|------------------------------------|---|
| Proposed PUD Site Acreage: | 58.6 ± Acres |
| Existing Zoning: | BL-AS/BL (9.2 acres +/-), DR 3.5 (25.2 acres +/-) and DR 2 (24.2 acres +/-) |
| Existing Use: | Residential |
| Proposed Use: | Residential |
| Permitted Density: | 3.99 dwelling units/acre |
| Proposed Density: | 3.79 dwelling units/acre |
| Allowed Floor Area Ratio: | N/A |
| Proposed Floor Area Ratio: | N/A |
| Required Number of Parking Spaces: | 444 |
| Proposed Number of Parking Spaces: | 540 |

The principal reason the PUD process is being utilized is for product type, considering the DR 2 and DR 3.5 zones do not permit townhomes (defined as group houses in BCZR § 101.1) without utilizing the PUD process. Under the PUD process, all residential uses are permitted in residential zones subject to the compatibility requirements of § 32-4-402 of the BCC.

A. PROJECTED IMPACT OF PUD

The PUD application is required to provide the projected impact of the PUD on the surrounding community. The following information will address these issues.

1. **Water/Sewer:** The PUD will be served by public water and sewer. According to the 2014 Baltimore County Basic Services Maps, the property is not located within a deficient area or area of special concern for either water or sewer. The public water and sewer service is sufficiently sized to accommodate the project. Therefore, the project will not result in any negative impacts to the County's water and sewer infrastructure.
2. **Transportation/Roads:** According to the 2014 Basic Services Maps, the site is not within a deficient area for transportation.

3. **Environmental:** The applicant will provide stormwater management facilities in accordance with MDE water quality requirements and meet local stormwater flood control requirements. The site lies within the Chesapeake Bay Critical Area and is classified as a Limited Development Area. The development will go through the growth allocation process.
4. **Schools:** The property is served by Mars Estates Elementary School, Stemmers Run Middle School and Kenwood High School. The pupil yield from the PUD includes: 56 Elementary School students, 25 Middle School students; and 36 High School students. Based on the information provided on the Baltimore County website, there will be adequate capacity when considering current and future adjacent school capacity for the development in the pipeline.
5. **Police and Fire Resources:** The proposed development will not adversely impact the County's ability to provide police and fire services, specifically, from the Essex precinct and Essex Fire Response Station. The PUD will meet all County and State Building and Fire Code Regulations.

B. COMPATIBILITY

A PUD application must include a statement of how the development will comply with the compatibility objectives as provided in BCC § 32-4-242(b)(5).

BCC § 32-4-402 outlines compatibility requirements and includes eight (8) objectives, which can be broken down into categories as follows: (1) Site Development Context, (2) Building and Parking Layout, (3) Road Widths and Sidewalks, (4) Open Space Planning, (5) Site Features, (6) Site Landscaping, Streetscape and Buffers, (7) Exterior Signs, Lighting and Accessory Structures, and (8) Architectural Design.

1. SITE DEVELOPMENT CONTEXT

Pursuant to BCC § 32-4-402(d)(1) the Site Development Context objective contemplates whether, "[t]he arrangement and orientation of the proposed buildings and site improvements are patterned in a similar manner to those in the neighborhood."

The proposed site design envisions a village core with landscaped pedestrian and bicycle thoroughfares providing residents and visitors convenient access to proximal recreational uses.

The PUD will not only blend with the nature of what already exists by following the same pattern of site improvements and amenities, but it will also build on the established pattern of neighborhood interconnectivity.

In addition to the proposed walking trails on the site, the Applicant will seek approval, design, fund and install trails not only on the property, but also on the adjacent Baltimore County and the Baltimore County Board of Education property.

2. BUILDING AND PARKING LAYOUT

Pursuant to BCC § 32-4-402(d)(2), the Building and Parking Layout objective contemplates whether "[t]he building and parking lot layouts reinforce existing building and streetscape patterns and assure that the placement of buildings and parking lots have no adverse impact on the neighborhood."

The orientation of the residences will reinforce the existing building patterns in the neighborhood. The architecture, materials, and colors of the proposed buildings will invoke a modern and efficient layout.

The PUD has no large spaces dedicated to parking, no major roadways through the development, and no unexpectedly large edifices. The proposed PUD plan will blend seamlessly with existing building patterns in the area.

3. ROAD WIDTHS AND SIDEWALKS

Pursuant to BCC § 32-4-402(d)(3), the Road Widths and Sidewalks objective contemplates whether "[t]he proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood."

The PUD's ingress and egress to Old Eastern Avenue will be designed and constructed to efficiently provide access to the site. The internal drive aisles will similarly provide for efficient flow of traffic both within the site and the surrounding street system. Furthermore, certain design attributes will be implemented, such as width, landscaping, and curvature, to encourage drivers to proceed slowly in order to increase safety for drivers, pedestrians, and children at play.

Walkways will wind through the development, as well as lead residents to Old Eastern Avenue and the existing local amenities. The walkways will promote a sense of "neighborliness" by encouraging residents to stroll the community. It will also allow for bicycles and pedestrians to use the same thoroughfare in comfort and safety.

4. OPEN SPACE PLANNING

Pursuant to BCC § 32-4-402(d)(4), the Open Space Planning objective contemplates whether "[t]he open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and complement existing open space systems."

The property lies on a peninsula on Hopkins Creek in Middle River. As such, the dominant open space feature is the Chesapeake Bay. Significant efforts were made to design a sense of place where residents would be enticed into taking advantage of the recreational opportunities afforded by the site design in order to enjoy the Bay. It is envisioned that one could walk or bike throughout the neighborhood. The development will feature dense forest, meadows, a trail system, and green space around the residences. The maintenance of approximately 9.5 acres +/- to Baltimore County for a passive recreational area. The development will result in a lot coverage for the site of approximately 27.6%. This has been accomplished by clustering the residences so there's less roads and larger contiguous areas can be preserved. All of these design elements will create an inviting neighborhood where people will want to interact and enjoy their surroundings.

5. SITE FEATURES

Pursuant to BCC § 32-4-402(d)(5), the Site Features objective contemplates whether "[l]ocally significant features of the site such as distinctive buildings or vistas are integrated into the site design."

The predominant locally significant feature of the site is the Chesapeake Bay. The extensive sidewalks, a fishing pier and a passive recreational area with a trail system have been designed to take advantage of these unique vistas. The layout of the homes, while being mindful of the sensitive environmental features, will integrate the views into its design as well.

6. SITE LANDSCAPING, STREETSCAPES AND BUFFERS

Pursuant to BCC § 32-4-402(d)(6), the Site Landscaping, Streetscapes and Buffers objective contemplates whether "[t]he proposed landscape design complements the neighborhood's landscape patterns and reinforces its functional qualities."

The PUD will complement the neighborhood's landscape patterns by conforming with Class "A" screening as provided in the Baltimore County Landscape Manual. The convenience for the residents to utilize the proposed trail system within the passive recreational area as well as Hopewell Point's existing network of paths via walking or cycling will be aided by the landscaped sidewalks connecting all of the recreational components of the neighborhood. The plan's attempts to create linkage among the neighborhood is best

supported by creating inviting streetscapes, as opposed to significant buffers. The plan envisions the utilization of native plants, trees, and shrubs, as approved by the landscape manual, to define and demarcate walkways and residences, in addition to encouraging the community residents to utilize walkways and green space.

7. EXTERIOR SIGNS, LIGHTING, AND ACCESSORY STRUCTURES

Pursuant to BCC § 32-4-402(d)(7), the Exterior Signs, Lighting and Accessory Structures objective contemplates whether "[t]he exterior signs, site lighting and accessory structures support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood."

The exterior signs, site lighting, and accessory structures will support a uniform architectural theme. Site lighting will have fixtures which dim or cut off at set times so as not to cast light onto adjacent properties. The site lighting will be of a design and material to enhance the community architecture.

8. ARCHITECTURAL DESIGN

Pursuant to BCC § 32-4-402(d)(8), the Architectural Design objective is as follows: "[t]he scale, proportions, massing and detailing of the proposed buildings are in proportion to those existing in the neighborhood."

The scale, proportions and massing of the proposed buildings will be less than the existing condominium development on the peninsula, Hopewell Pointe.

C. COMMUNITY BENEFIT

If approved, Applicant will create an area that amounts to approximately 9.5 acres +/- of the PUD which can be used as a passive recreational area. Applicant will design, fund and install a trail system in the passive recreational area with extensive hiking/biking trails. Lastly, as an additional public benefit, Applicant will donate \$30,000 to a capital improvement project or other public facility.

III. SUMMARY

The application for a PUD is only the beginning of the review and approval process. Community involvement and feedback as well as agency review are required following submission of this application and throughout the entire review and approval process.

Weber Avenue, LLC/Water's Landing at Middle River PUD

February 23, 2015

Page 8

As always, it is understood this feedback may necessitate changes to the plan. Applicant is committed to working with these stakeholders in order to secure the ultimate PUD approval.

Very truly yours,



Jason T. Vettori

Enclosures

CC: Arnold Jablon, Director, Permits, Approvals and Inspections (w/enclosures x 10)
J.B. Osborne, Senior Legislative Advisor for Councilwoman Cathy Bevins
Thomas Peddicord, Baltimore County Council (w/enclosures)
Jan Cook, Department of Permits, Approvals and Inspections
Richard Alter, Weber Avenue, LLC
Samuel Neuberger, Weber Avenue, LLC
Tracy Graves, Comstock
Stephen Nardella, Comstock
Tom Repsher, DMW
Kristy Bischoff, DMW
Mitch Kellman, DMW
John Canoles, Eco-Science
David K. Gildea, Esquire



| SITE DATA | |
|--|--------------|
| 1. Existing Property Information: | |
| Green Blue Area | +/- 58.7 Ac. |
| PUD Area | +/- 58.0 Ac. |
| 2. Existing Zoning: | |
| BL - Business Local | +/- 0.65 Ac. |
| BL-AS - Business Local | +/- 0.64 Ac. |
| BL & BL-AS Total (Used for PUD) | +/- 0.2 Ac. |
| DRP-Residential | +/- 24.2 Ac. |
| DRP-3.5 - Residential | +/- 25.3 Ac. |
| 3. Density Residential: | |
| DR 2 (2 Dwelling Units/Ac.) | 40 DU |
| DR 3.5 (3.5 Dwelling Units/Ac.) | 88 DU |
| DR 4.0-AD (4.0-4.5 Dwelling Units/Ac.) | 88 DU |
| Total Permitted Units | 234 |
| 4. Proposed Number and Type of Units: | |
| 24' x 40' Townhomes (24' x 100' TYP. Lots) | 222 |
| 20' x 40' Townhomes (20' x 100' TYP. Lots) | 10 |
| 40' x 40' 6.5.0. (60' x 100' TYP. Lots) | 2 |
| 5. Parking Tabulations: | |
| Required 222 Units x 2 = 444 Spaces | |
| Provided 540 Spaces | |

LEGEND

- BL - BUSINESS LOCAL
- BL-AS - BUSINESS LOCAL
- DRP - RESIDENTIAL
- DRP-3.5 - RESIDENTIAL
- DR 2 - DENSITY RESIDENTIAL
- DR 3.5 - DENSITY RESIDENTIAL
- DR 4.0-AD - DENSITY RESIDENTIAL
- OPEN SPACE
- PASSIVE RECREATIONAL AREA
- NEW PATH
- SCHOOL BUS STOP PROPERTY ACCESS
- FISHING PIER
- OPEN SPACE
- 20' FRONT LOAN TOWNHOMES - 64 UNITS
- 20' FRONT LOAN TOWNHOMES - 55 UNITS
- 24' FRONT LOAN TOWNHOMES - 66 UNITS
- 20' FRONT LOAN TOWNHOMES - 55 UNITS

VICINITY MAP

Scale: 1"=1000'

DMW
DAVID M. WATKINS & ASSOCIATES, INC.
PLANNING & DESIGN

**WATER'S LANDING
PUD PLAN**
February 23, 2014

DATE: 02/23/14 BY: [Signature] CHECKED BY: [Signature] DESIGNED BY: [Signature] SCALE: 1"=1000' PROJECT NO: [Number] SHEET NO: 1 of 1



WATERS LANDING

COMSTOCK

SINGLE FAMILY

BALTIMORE COUNTY, MD
P0150130 02.17.2015

THIS RENDERING IS FOR REPRESENTATIONAL PURPOSES ONLY AND
DEPICTS GENERAL ARCHITECTURAL STYLE, CHARACTER, FINISHINGS,
MATERIALS, COLORS AND DETAILING.

Architecture+Planning
8605 Westwood Center Dr.
Suite 300
Vienna, VA 22182
703.992.6116
ktgy.com





WATERS LANDING

COMSTOCK

SINGLE FAMILY

BALTIMORE COUNTY, MD
P0150130 02.17.2015

THIS RENDERING IS FOR REPRESENTATIONAL PURPOSES ONLY AND
DEPICTS GENERAL ARCHITECTURAL STYLE, CHARACTER, FINISHINGS,
MATERIALS, COLORS AND DETAILING.

Architecture+Planning
8605 Westwood Center Dr.
Suite 300
Vienna, VA 22182
703.992.6116
ktgy.com





WATERS LANDING

COMSTOCK

24' TOWNHOUSE STRIP

BALTIMORE COUNTY, MD
P0150130 02.17.2015

THIS RENDERING IS FOR REPRESENTATIONAL PURPOSES ONLY AND
DEPICTS GENERAL ARCHITECTURAL STYLE, CHARACTER, FINISHINGS,
MATERIALS, COLORS AND DETAILING.

Architecture+Planning
8605 Westwood Center Dr.
Suite 300
Vienna, VA 22182
703.992.6116
ktgy.com





WATERS LANDING

COMSTOCK

20' TOWNHOUSE STRIP

BALTIMORE COUNTY, MD
P0150130 02.17.2015

THIS RENDERING IS FOR REPRESENTATIONAL PURPOSES ONLY AND
DEPICTS GENERAL ARCHITECTURAL STYLE, CHARACTER, FINISHINGS,
MATERIALS, COLORS AND DETAILING.

Architecture+Planning
8605 Westwood Center Dr.
Suite 300
Vienna, VA 22182
703.992.6116
ktgy.com





SHOWN AS 4-STORY WITH TERRACE

WATERS LANDING

COMSTOCK

20' TOWNHOUSE REAR

BALTIMORE COUNTY, MD
P0150130 02.17.2015

THIS RENDERING IS FOR REPRESENTATIONAL PURPOSES ONLY AND
DEPICTS GENERAL ARCHITECTURAL STYLE, CHARACTER, FINISHINGS,
MATERIALS, COLORS AND DETAILING.

Architecture+Planning
8605 Westwood Center Dr.
Suite 300
Vienna, VA 22182
703.992.6116
ktgy.com

